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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/718,363	11/24/2000	Takuto Harada	862 . C2058	3077
5514	7590	07/01/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			LEE, TOMMY D	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	

2624

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/718,363

Applicant(s)

HARADA ET AL.

Examiner

Thomas D. Lee

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11, 24-27 and 29 is/are allowed.
- 6) ☒ Claim(s) 12-23 and 28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 12-23 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,483,609 (Ueno et al.) in view of U.S. Patent 6,014,464 (Kurzweil et al.).

Regarding claim 12, Ueno et al. disclose an apparatus comprising: input means for inputting image data (scanner scans original image (column 5, lines 60-63)); acquisition means for acquiring attribute information of each area of an image represented by the image data input by said input means (image information separated into first, second and third image planes based on attributes (column 5, line 64-column 6, lines 3)); determination means for determining a compression parameter for a designated area of an of the image on the basis of the attribution information acquired by said acquisition means (based on image attributes, type of compression determined for separated image data (column 6, lines 17-25)); compression means for compressing the image data by using the compression parameter (first, second and third compression sections (column 6, lines (17-25)); and output means for outputting the image data (three compressed image planes wrapped in one data format (column 6, lines 26-30), resultant image transmitted over a line (column 15, lines 44-55)).

The apparatus disclosed in Ueno et al. transmits the processing image data to a receiving apparatus, where the compressed image data are decompressed and output (image receiving system reconstructs image data (column 15, line 61-column 16, line 3)). While the transmitting apparatus itself is not disclosed as being able to decompress and print an output image, it is well known in the art to provide for compression and decompression processing of image data in a single unit, such as disclosed in Kurzweil

Art Unit: 2624

et al. (column 6, line 60-column 7, line 18; column 7, lines 25-37). It would have been obvious for one of ordinary skill in the art to modify the teaching of Ueno et al. by providing a decompression means, so that a user may compress processed image data for transmission, and view the processed image data at the same location, after it has been decompressed, so that the quality of the processed image data may be determined.

Regarding claim 13, Ueno et al. further disclose, when the image data is constituted by a print instruction, said acquisition means analyzes contents of the print instruction and acquires the attribute information on the basis of the analysis result (user selects quality print instruction, attribute of text or line drawing forms determined on the basis of selected instruction (column 10, line 51-column 11, line 7)).

Regarding claim 14, Ueno et al. further disclose, when the image data is bitmapped image data, said acquisition means segments the bitmapped image data into a plurality of areas, and acquires the attribute information on the basis of the result of the segmentation (bitmap image segmented into image planes, attribute (resolution conversion, compression type) determined for each area (column 7, lines 34-50; column 8, lines 9-19; column 8, line 61-column 9, line 9)).

Regarding claim 15, Ueno et al. further disclose, when the image data includes an image area separation result with respect to the bitmapped image data and the image data of the bitmapped image, said acquisition means acquires the attribute information on the basis of the image area separation result (bitmap image segmented into image planes, attribute (resolution conversion, compression type) determined for

Art Unit: 2624

each area (column 7, lines 34-50; column 8, lines 9-19; column 8, line 61-column 9, line 9).

Regarding claim 16, Ueno et al. further disclose attribute information indicating at least one of a character area, a graphic pattern area, and an image area (character and image areas detected (column 6, lines 47-56)).

Regarding claim 17, Ueno et al. further disclose attribute information indicating at least one of the high-quality output area and a poor-quality output area (attributes include resolution conversion based on selected image quality mode (column 10, lines 51-column 11, line 7)).

Claims 18-23 are method claims corresponding to above-rejected apparatus claims 12-17, respectively. The steps of the method are performed by the apparatus disclosed in Ueno et al., or would have been obvious in view of Ueno et al. for the reasons mentioned above.

Claim 28 recites a computer-readable memory storing program codes for controlling a printing apparatus for performing the method steps recited in claim 18. While not explicitly disclosed in Ueno et al., it is well known in the art to provide software for enabling a computer to perform processing steps in general, and it would have been obvious for one of ordinary skill in the art to provide such software for enabling a computer to perform the method steps disclosed in Ueno et al., so that the computer can perform the steps without the need for specific processing hardware.

Allowable Subject Matter

6. Claims 1-11, 24-27 and 29 are allowed.

Art Unit: 2624

7. The following is a statement of reasons for the indication of allowable subject matter: No prior art has been found to disclose or suggest, in combination, "designation means for designating a region of the developed image based upon the object information corresponding to the drawing object that has been developed by said developing means; shift-up means for shifting up the bits of image data corresponding to the region of the developed image; and encoding means for entropy encoding the developed image data, in which the bits of the image data which have been shifted up by said shift-up means," as recited in base claim 1, and as similarly recited in base claims 6, 11, 24, 27 and 29.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas D. Lee whose telephone number is (703) 305-4870. The examiner can normally be reached on Monday-Friday (7:30-5:00), alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (703) 308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas D. Lee
Primary Examiner
Art Unit 2624

tdl
June 24, 2004